



February 20, 2004

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## ENGROSSED SENATE BILL No. 21

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DIGEST OF SB 21 (Updated February 18, 2004 3:12 pm - DI 107)

**Citations Affected:** IC 33-2.1; IC 33-9; IC 33-20; IC 34-30.

**Synopsis:** Various title 33 provisions. Specifies the number of members of the Indiana child custody and support advisory committee and the public defender commission that are necessary to constitute a quorum. Provides that the affirmative vote of: (1) seven of the 12 members of the Indiana child custody and support advisory committee is required for the committee to take any action; and (2) six of the 11 members of the public defender commission is required for the commission to take any action. Repeals the law concerning interest-bearing attorney trust accounts. Makes conforming amendments.

**Effective:** July 1, 2004.

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**Kenley, Bowser**  
(HOUSE SPONSORS — KUZMAN, FOLEY)

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November 18, 2003, read first time and referred to Committee on Rules and Legislative Procedure.

January 15, 2004, amended; reassigned to Committee on Judiciary.

January 29, 2004, reported favorably — Do Pass.

February 2, 2004, read second time, ordered engrossed. Engrossed.

February 3, 2004, read third time, passed. Yeas 49, nays 0.

HOUSE ACTION

February 5, 2004, read first time and referred to Committee on Judiciary.

February 19, 2004, reported — Do Pass.

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ES 21—LS 6038/DI 13+



February 20, 2004

Second Regular Session 113th General Assembly (2004)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2003 Regular Session of the General Assembly.

## ENGROSSED SENATE BILL No. 21

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A BILL FOR AN ACT to amend the Indiana Code concerning courts and court officers.

*Be it enacted by the General Assembly of the State of Indiana:*

1 SECTION 1. IC 33-2.1-10-5 IS AMENDED TO READ AS  
2 FOLLOWS [EFFECTIVE JULY 1, 2004]: Sec. 5. (a) The committee  
3 shall meet at the call of the chairman.

4 (b) The committee may meet any number of times during the year.  
5 However, the committee shall be compensated for not more than four  
6 (4) meetings per year.

7 (c) **Seven (7) members of the committee constitute a quorum.**  
8 **The affirmative vote of seven (7) members of the committee is**  
9 **required for the committee to take any action.**

10 SECTION 2. IC 33-9-13-2 IS AMENDED TO READ AS  
11 FOLLOWS [EFFECTIVE JULY 1, 2004]: Sec. 2. (a) The members of  
12 the commission shall designate one (1) member of the commission as  
13 chairman.

14 (b) The term of office of each member of the commission is four (4)  
15 years. A vacancy occurring among the members of the commission  
16 before the expiration of a term shall be filled in the same manner as the  
17 original appointments. An appointment to fill a vacancy occurring

ES 21—LS 6038/DI 13+



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1 before the expiration of a term is for the remainder of the unexpired  
2 term.

3 (c) Each member of the commission who is a state employee is  
4 entitled to reimbursement for traveling expenses and other expenses  
5 actually incurred in connection with the member's duties, as provided  
6 in the state travel policies and procedures established by the  
7 department of administration and approved by the budget agency.

8 (d) A member of the commission who is not a state employee is  
9 entitled to the minimum salary per diem provided by IC 4-10-11-2.1(b).  
10 Such a member is, however, entitled to reimbursement for traveling  
11 expenses and other expenses actually incurred in connection with the  
12 member's duties, as provided in the state travel policies and procedures  
13 established by the department of administration and approved by the  
14 budget agency.

15 (e) The members of the commission shall meet at least quarterly and  
16 at times called by the chairman or at the request of three (3)  
17 commission members.

18 **(f) Six (6) members of the commission constitute a quorum. The**  
19 **affirmative vote of six (6) members of the commission is required**  
20 **for the commission to take any action.**

21 SECTION 3. THE FOLLOWING ARE REPEALED [EFFECTIVE  
22 JULY 1, 2004]: IC 33-20; IC 34-30-2-145; IC 34-30-2-146.

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SENATE MOTION

Madam President: I move that Senator Garton be removed as author of Senate Bill 21 and that Senator Kenley be substituted therefor.

GARTON

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## COMMITTEE REPORT

Madam President: The Senate Committee on Rules and Legislative Procedure, to which was referred Senate Bill No. 21, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Delete the title and insert the following:

A BILL FOR AN ACT to amend the Indiana Code concerning courts and court officers.

Delete everything after the enacting clause and insert the following:

(SEE TEXT OF BILL)

and when so amended that said bill be reassigned to the Senate Committee on Judiciary.

(Reference is to SB 21 as introduced.)

GARTON, Chairperson

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SENATE MOTION

Madam President: I move that Senator Bowser be added as second author of Senate Bill 21.

KENLEY

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## COMMITTEE REPORT

Madam President: The Senate Committee on Judiciary, to which was referred Senate Bill No. 21, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill DO PASS.

(Reference is made to Senate Bill 21 as printed January 16, 2004.)

BRAY, Chairperson

Committee Vote: Yeas 10, Nays 0.

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## COMMITTEE REPORT

Mr. Speaker: Your Committee on Judiciary, to which was referred Senate Bill 21, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

LAWSON L, Chair

Committee Vote: yeas 11, nays 0.

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